

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services - Irrigation & CAD Dept- Disciplinary action against Sri K.S.S.V.Subba Rao, DEE, DWMA, Kakinada – Disciplinary proceedings initiated - Enquiry conducted - Charges proved – Disciplinary proceedings finalized by imposing a punishment of stoppage of two annual grade increments with cumulative effect – Modification of punishment to that of stoppage of (5%) in pension permanently - Orders - Issued.

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I & CAD (Vigilance.II (V&E-2) DEPARTMENT

**G.O.Rt.No. 514.**

**Dated.03.09.2014.**

Read the following :

1. From the General Administration (V&E) Dept, Vigilance Report No. 44, dated 19-03-2005.
2. ENC(AW) Memo No. Rc/ ENC/S1(2)/9266/2006-3, dated 28-09-2006.
3. Written Statement of defense of Sri KSSV Subba Rao, DEE, DWMA, Kakinada dated 27-10-2006.
4. From the ENC(AW) Lr.No. Rc/ENC/S1(2)/9266/2006-1, dt. 19-06-2007.
5. Govt Memo No. 23125/ Ser.VII(V&E-20/2007-2, DT. 16-10-2007
6. From the ENC(AW) Memo No. Rc/ ENC/S1(2)/9266/2006-4, dated 03-11-2007..
7. From Sri D.Ravindra Babu, SE, IC, Tuni and Enquiry Officer, Lr.No. SE/ISPPLMCC/Tuni/Confidential/21 C, dated 24-04-2008.
8. From Sri KSSV Subba Rao, DEE, DWMA, Kakinada, explanation dated 22-10-2008.
9. Govt Letter No. 23125/ Ser.VII(V&E-2)/2007-6, dt. 08-12-2010
10. From the Secretary, APPSC, Lr.No. 32/RT-1/3/2011, dt. 21-01-2011.
11. G.O.Rt.No. 139, I & CAD (Ser.VII(V&E-2) Dept, dated 18-02-2011.
12. Orders of the Hon`ble APAT dated 04-07-2011 in O.A.No. 5597/2011 filed by Sri KSSV Subba Rao, DEE.
13. G.O.Rt.No.911, I&CAD (Ser.VII (V&E.2) Dept, dated 08.09.2011.
14. From the Engineer-in-Chief (AW), I&CAD Department, Hyderabad letter No.Rc/enc/F4/12062633/2013, dated 31.07.2013.
15. Govt. Memo No.23125/Ser.VII (V&E.2)/2007-7, dated 15.01.2014.
16. From Sri K.S.S.V.Subba Rao, DEE, dwma, Kakinada explanation dated 17.01.2014.
17. Govt Letter No.23125/ Ser.VII(V&E-2)/2007-8, dt. 04.02.2014.
18. From the Secretary, APPSC, Lr.No.590/RT/3/2014, dated 20.05.2014.
19. From the Government Pleader for I&CAD, APAT letter No.OA.8920/2011/KMKR, dated 06.08.2014.
20. From Sri K.S.S.V.Subba Rao, DEE (Retired) representation dated 23.08.2014.

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(p.t.o.)

In the reference 1<sup>st</sup> read above, it has been brought to the notice of the Government that certain irregularities took place in check measuring and recording in the R.Yerrapalem watershed works executed by the DWMA, Kakinada.

2. In the reference 2<sup>nd</sup> read above, the Engineer-in-Chief (AW), I&CAD Department, Hyderabad has initiated disciplinary action against Sri KSSV Subba Rao, DEE, DWMA, Kakinada by issuing articles of charges for the above said irregularities.

3. In the reference 3<sup>rd</sup> read above, Sri KSSV Subba Rao, DEE, DWMA, Kakinada has submitted his written statement of defense, duly denying the charges framed against him.

4. In the reference 4<sup>th</sup> read above, the Engineer-in-Chief (AW), I&CAD Department, Hyderabad while enclosing copies of the articles of charges issued to Sri KSSV Subba Rao, DEE, DWMA and his written statement of defense, has requested to examine the entire issue at Government level and issue necessary orders in the matter.

5. In the reference 5<sup>th</sup> read above, the Engineer-in-Chief (AW), I&CAD Department, Hyderabad has been directed to appoint an enquiry officer to conduct enquiry into the charges framed against Sri KSSV Subba Rao, DEE, as his written statement of defense was found not convincing.

6. In the reference 6<sup>th</sup> read above, the Engineer-in-Chief (AW), I&CAD Department, Hyderabad has appointed Sri D.Ravindra Babu, Superintending Engineer, Irrigation Circle, Tuni as Enquiry officer to conduct enquiry into the charges framed against Sri KSSV Subba Rao, DEE, DWMA, Kakinada.

7. In the reference 7<sup>th</sup> read above, the Enquiry officer has submitted enquiry report stating that the charges are held proved against Sri KSSV Subba Rao, DEE, DWMA, Kakinada.

8. In the reference 8<sup>th</sup> read above, Sri KSSV Subba Rao, DEE, DWMA has submitted his explanation on the findings of the Enquiry Officer. After careful examination of the entire issue, it has been provisionally decided to impose a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, DWMA, Kakinada.

10. In the reference 9<sup>th</sup> read above, the Secretary, APPSC has been requested to place the proposal of the Government before the Commission and communicate its concurrence.

11. In the reference 10<sup>th</sup> read above, the Secretary, Andhra Pradesh Public Service Commission, Hyderabad has informed that the Andhra Pradesh Public Service Commission has agreed with the proposal of the department to impose a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, DWMA.

12. In the reference 11<sup>th</sup> read above, orders were issued imposing a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, DWMA for his committed irregularities in check measuring and recording in the R.Yerrapalem watershed works executed by the DWMA, Kakinada.

13. Aggrieved by the orders issued in the reference 11<sup>th</sup> read above, Sri KSSV Subba Rao, DEE has filed O.A.No. 5597/2011 before the Hon`ble APAT and the Hon`ble APAT in their orders dated 04.07.2011 12<sup>th</sup> cited, while allowing the O.A. has remitted back the case to the respondents for passing fresh orders after considering the explanation of the applicant submitted on 22.10.2010 in detail within a period of six weeks.

14. After careful examination of the entire issue, it has been decided to comply with the orders of the Hon`ble APAT in O.A.No. 5597/2011 filed by Sri KSSV Subba Rao, DEE.

15. Further, Government, after careful examination of the explanation submitted by the applicant have decided to reject the averments of the applicant that he is not aware of the instructions issued by the Commissioner, Rural Development for the following reasons :

“His contention that he need not under take any check measurement of the works is against the facts. There are clear instructions from the Commissioner Rural Development vide Circular no. 7490/ DPAP(2)/98 dt. 11-06-2003, stipulated that 100% check measurement of works should be done by MDT along with village level functionaries before making any payment. The MDT should also be held responsible for any irregularity committed in execution of works. His being not aware of the instructions is not tenable. Any how he is on record as having check measured large number of works as revealed by the I.A. after inspection. As such by check measuring excess measurements, he has facilitated making of excess payment. Hence, the report of the I.A. Can be accepted.”

16. In compliance of the orders of the Hon`ble APAT in O.A.No.5597/2011 filed by Sri KSSV Subba Rao, DEE, and after considering the explanation of the individual, Government have decided to reject the averment of the individual for the reasons stated at para (15) above and to impose a punishment of stoppage of two annual grade increments with cumulative effect on Sri KSSV Subba Rao, DEE, DWMA.

17. Accordingly, in the G.O.13<sup>th</sup> read above, a punishment of stoppage of two annual grade increments with cumulative effect has been imposed on Sri KSSV Subba Rao, DEE, for the irregularities committed in check measuring and recording in the R.Yerrapalem watershed works executed by the DWMA, Kakinada.

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18. in the reference 14<sup>th</sup> read above, the Engineer-in-Chief (AW), I&CAD Department, Hyderabad has informed that while implementing the above said orders it was noticed that only one increment due on 01.06.2012 was stopped and second increment with cumulative effect could not be implemented as Sri KSSV Subba Rao, DEE retired on 31.12.2012 and therefore requested for revised alternative orders.

19. After examining the same, it has been provisionally decided to impose a (5%) cut in pension permanently against Sri KSSV Subba Rao, DEE (Retd). Accordingly, in the reference 15<sup>th</sup> read above, a show cause notice has been issued to Sri KSSV Subba Rao, DEE (Retd) with a direction to show cause as to why a penalty of 5% cut in pension permanently shall not be imposed against him and submit his representation if any.

20. In the reference 16<sup>th</sup> read above, Sri KSSV Subba Rao, DEE (Retd) has submitted his explanation to the show cause notice requesting to drop further action against him.

21. In the reference 17<sup>th</sup> read above, the Secretary, Andhra Pradesh Public Service Commission, Hyderabad has been requested to place the proposal of the Department before the Commission and communicate their concurrence.

22. In the reference 18<sup>th</sup> read above, the Secretary, Andhra Pradesh Public Service Commission, Hyderabad has informed that the Commission have agreed with the proposal of the department to impose a punishment of (5%) cut in pension permanently against Sri K.S.S.V. Subba Rao, DEE (Retd).

23. Government, after careful examination of the entire issue, hereby modify the punishment to that of stoppage of (5%) cut in pension permanently on Sri K.S.S.V. Subba Rao, DEE (Retd) for the irregularities committed in check measuring and recording in the R.Yerrapalem watershed works executed by the D.W.M.A., Kakinada.

24. The Engineer-in-Chief (AW), I&CAD Department, Hyderabad is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYANATH DAS  
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri KSSV Subba Rao, DEE, DWMA, Kakinada **through** the Engineer-in-Chief (AW), I& CAD Department, Hyderabad.

The Engineer-in-Chief (AW), I & CAD Department, Hyderabad

The Commissioner, Rural Development, Hyderabad

The Secretary, APPSC, Hyderabad.

Copy to the Government Pleader for I&CAD, APAT, Hyderabad.

// FORWARDED :: BY ORDER //

SECTION OFFICER